

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DAVID W. SVETE,

Plaintiff,

v.

CHERNESKY, HEYMAN &
KRESS, PLL, *et al.*,

Defendants.

Case No. 3:07-cv-197

JUDGE WALTER H. RICE

DECISION AND ENTRY OVERRULING AS MOOT PLAINTIFF'S
EMERGENCY MOTION FOR STAY AND/OR CONTINUANCE (DOC.
#85)

On March 23, 2012, Plaintiff David W. Svete, filed an "Emergency Motion for Stay and/or Continuance, and Notice of Change of Address." He claimed that his anticipated move from one federal prison facility to another, along with an injury to his right arm, impacted his ability to proceed in the above-captioned case. He therefore requested a 90-day stay of the proceedings.

Given that judgment in the above-captioned case was entered against Svete on September 26, 2011, and he failed to timely appeal, his Emergency Motion for Stay and/or Continuance (Doc. #85) is OVERRULED AS MOOT.

Date: January 30, 2013


WALTER H. RICE
UNITED STATES DISTRICT JUDGE